

191—24.3(523D) Definitions. As used in the Act and this chapter, unless the context otherwise requires:

“*Act*” means Iowa Code chapter 523D, the Iowa retirement facilities Act.

“*Actuarial forecast*” means an analysis which is performed by a qualified actuary or an individual who has demonstrated to the satisfaction of the insurance division the necessary experience and educational background. Such analysis shall be in accordance with generally accepted actuarial principles and practices (GAAP) and shall include a statement of actuarial opinion, an actuarial balance sheet, a cash flow projection, and a statement of applicable actuarial methodology, formulas, and assumptions.

“*Certified financial statements*” means financial statements audited and certified by an independent certified public accountant in accordance with generally accepted auditing standards.

“*Certified public accountant*” means a person who has received from the Iowa accounting examining board a certificate as a certified public accountant who is in good standing and who is currently registered under Iowa Code section 542C.20 or holding certified public accountant certificates issued under the laws of another state.

“*Commissioner*” means the commissioner of insurance for the state of Iowa.

“*Financial institution*” means a state or federally insured bank, savings bank, savings and loan association, credit union, trust department thereof, or a trust company authorized to do business in the state of Iowa.

“*Person*” means an individual, corporation, trust, partnership or association, or any other legal entity.

“*Qualified actuary*” means an individual who is a member of the American Academy of Actuaries.

“*Statement of financial feasibility*” means a financial forecast, as defined by the American Institute of Certified Public Accountants (AICPA), of the revenues, expenses, working capital needs, and other financial requirements for the new or expanded facility or an alternative financial study in a form acceptable to the insurance division. The forecast period should include the development or expansion period and extend for five fiscal years from the date of initial occupancy. Unless waived by the commissioner, the statement of financial feasibility shall include a cash flow forecast with underlying assumptions and be presented in accordance with AICPA guidelines. The financial analysis shall be prepared by either a qualified actuary, a certified public accountant, or an individual who has demonstrated to the satisfaction of the insurance division the necessary experience and educational background.

“*Statement of the market feasibility*” means an analysis of the market conditions which (1) identifies and evaluates the potential market, including a demographic and economic profile of the population in the facility’s market area; (2) identifies the existing or proposed facilities or similar businesses offering similar services in the potential market area, including, if available, the occupancy rate for existing facilities for the last three years; and (3) identifies the name and address of the person who prepared the feasibility study and the experience of the person in preparing similar studies or otherwise consulting in the field of continuing care or related health care fields.